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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Wilhelm Lagercrantz

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EXAMINER

RIES, LAURIE ANNE

ART UNIT

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2176

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/509,100	Applicant(s) LAGERCRANTZ, WILHELM	
	Examiner LAURIE RIES	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/5/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Original Application, filed 20 June 2005, IDS, filed 5 March 2008, Preliminary Amendment, filed 27 September 2004, and Preliminary Amendment, filed 27 March 2008.
2. Claims 1-14 are pending. Claims 1, 11, and 14 are independent claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 2-3, 5-10, and 12-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 2 and 12, these claims include the limitation of layers in a digitized document provided with edges that are irregularly cut. There is no teaching of this limitation in the instant specification.

Regarding claims 3 and 13, these claims include the limitation of layers in a digitized document that are superimposed while still displaying edges so as to convey information to the audience on how far the visualized document is from the beginning and end of a stack of layers. There is no teaching of this limitation in the instant specification.

Regarding claim 9, this claim includes the limitation of providing links to translations of the digitized document, the translations being into languages desired by the user and being accessible on user command. There is no teaching of this limitation in the instant specification.

Regarding claim 10, this claim includes the limitation of layers in a digitized document that are displayed with delimiting intervals, the delimiting intervals being set in advance or on user command. There is no teaching of this limitation in the instant specification.

Claims 5-8 and 14 are dependent upon the above listed claims and fully incorporate the deficiencies of the base claims, therefore these claims are likewise rejected.

Art Unit: 2176

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 11, and 14, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Regarding claims 7-8, 11, and 14, these claims include the limitation "a near-identical document replica". It is unclear as to the scope of this limitation; in other words, it is unclear as to exactly how similar a replica must be in order to meet this limitation.

Regarding claim 8, the phrase "etc" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "etc"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claims 9-10 and 12-13 are dependent upon the above listed claims and fully incorporate the deficiencies of the base claims, therefore these claims are likewise rejected.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 14 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per claim 14, this claim is directed to an apparatus that includes a computer program product. As such, the language of the claim merely describes a computer program per se. This raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine, which would result in a practical application producing a concrete, useful and tangible result to form the basis of statutory subject matter under 35 USC 101. One technique for satisfying the requirements of 35 USC 101 is to claim code residing in memory (i.e., hardware), wherein that code produces a tangible result.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada (U.S. Patent 6,441,811 B1) in view of Yagita (U.S. Patent 5,900,876).

As per independent claims 1, 11, and 14, Sawada teaches a method, apparatus and computer program product for displaying a digitized document to an audience, the digitized document for visualization being printed media, such as high resolution photographs of pages in a book, comprising persistent memory for storage of at least one digitized document in a computer readable file format (See Sawada, Abstract, Figure 1, element 2, and Column 6, lines 31-43).

Sawada also teaches a processing means adapted to retrieve the digitized document from the persistent memory and process the computer readable file format into a near-identical document replica (See Sawada, Figure 4, and Column 7, lines 49-59).

Sawada also teaches a display for visualizing the digitized document having interface which represents a view of the digitized document, where animation of the document, such as the turning of a layer, being controlled by the audience (See Sawada, Column 13, lines 62-67, and Column 14, lines 1-8).

Sawada does not teach expressly an active field of the display is laterally enclosed by at least one dividing line characterized in that the animation layer to be turned is adapted to either begin or revert to its initial state in real-time upon indications by the audience, the indications governed by substantially in lateral direction crossing of the dividing line with an indicating element, however, Yagita teaches this limitation (See Yagita, Column 1, lines 37-42, Figure 19, Column 8, lines 46-67, and Column 9, lines 1-7).

Sawada and Yagita are analogous art because they are from the same field of endeavor of representing electronic data in the form of a book.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the dividing line characterized in that the animation layer to be turned is adapted to revert to its initial state in real-time upon indications by the audience, as taught by Yagita, with the method, apparatus and computer program product for displaying a digitized document of Sawada. The motivation for doing so would have been to allow the user to refer back to data on a previous page or layer in such a way as to allow the user to emulate the reading of a physical book.

Therefore, it would have been obvious to combine Yagita with Sawada for the benefit of allowing the user to refer back to data on a previous page or layer in such a way as to allow the user to emulate the reading of a physical book to obtain the invention as specified in claims 1, 11, and 14.

As per dependent claims 2 and 12, Sawada and Yagita teach the limitations of claims 1 and 11 as described above. Sawada also teaches that that layers in a digitized

Art Unit: 2176

document being visualized to the audience on the display are provided with edges being irregularly cut (See Sawada, Figure 11, Column 8, lines 59-67, and Column 9, lines 1-12).

As per dependent claims 3 and 13, Sawada and Yagita teach the limitations of claims 1 and 12 as described above. Yagita also teaches that layers in a digitized document are superimposed while still displaying edges so as to convey information to the audience on how far the visualized document is from the beginning and end of a stack of layers (See Yagita, Figure 22, Figure 23, and Column 10, lines 39-47).

Sawada and Yagita are analogous art because they are from the same field of endeavor of representing electronic data in the form of a book. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the superimposing of layers of the digitized document while still displaying edges, as taught by Yagita, with the method, apparatus and computer program product for displaying a digitized document of Sawada and Yagita. The motivation for doing so would have been to allow the user to turn quickly to a particular area of the digitized document without requiring the user to turn through additional pages or layers. Therefore, it would have been obvious to combine Yagita with Sawada and Yagita for the benefit of allowing the user to turn quickly to a particular area of the digitized document without requiring the user to turn through additional pages or layers to obtain the invention as specified in claims 3 and 13.

As per dependent claim 4, Sawada and Yagita teach the limitations of claim 1 as described above. While Sawada and Yagita do not teach expressly that digitized

Art Unit: 2176

documents are retrieved from at least one database accessible from the processing means via the Internet or any other global inter-connecting network, it was well known in the art at the time of the invention that digitized documents may be obtained by downloading said digitized documents from the Internet or a global network. At the time of the invention it would have been obvious to one of ordinary skill in the art to include accessing digitized documents from the Internet or a global network with the method, apparatus and computer program product for displaying a digitized document of Sawada and Yagita, providing the benefit of allowing the user to acquire and view digitized documents from multiple locations, such as via purchase over the Internet, thus allowing the user access to a large number of digitized documents.

As per dependent claims 5 and 6, Sawada and Yagita teach the limitations of claim 1 as described above. Sawada also teaches that the display is a touch screen, sensitive to signals governed by the audience by touching and dragging a finger tip on the visualized layer so as to indicate when a layer is to be turned, and that the indicating element is either a finger moved on a touch screen or a cursor moved by a cursor control device (See Sawada, Figure 14, Column 13, lines 62-67, Column 14, lines 1-8, and Column 10, lines 3-4).

As per dependent claim 7, Sawada and Yagita teach the limitations of claim 1 as described above. Yagita also teaches that the audience is able to adapt the default appearance of the visualization, in order to choose among a predefined set of suitable perspectives for the visualization of the digitized document, such as a number of tags arranged to allow a user to select a page correlating to a specific tag (See Yagita,

Art Unit: 2176

Figures 22 and 23, and Column 10, lines 39-53). Sawada and Yagita are analogous art because they are from the same field of endeavor of representing electronic data in the form of a book. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the default appearance of a visualization allowing a user to choose among a predefined set of perspectives of the digitized document of Yagita with the apparatus for displaying a digitized document to an audience of Sawada and Yagita. The motivation for doing so would have been to allow a user to advance to pages in the digitized document so that page selection can be made more conveniently (See Yagita, Column 10, lines 55-58). Therefore it would have been obvious to combine Yagita with Sawada and Yagita for the benefit of allowing a user to advance to pages in the digitized document so that page selection can be made more conveniently to obtain the invention as specified in claim 7.

As per dependent claim 8, Sawada and Yagita teach the limitations of claim 1 as described above. Sawada also teaches that the persistent memory is any kind of storage location connected to the processor, such as CD-ROM, any kind of memory disk, flash memory, etc (See Sawada, Figure 1, element 2, and Column 6, lines 33-44).

As per dependent claim 10, Sawada and Yagita teach the limitations of claim 1 as described above. Sawada also teaches that layers in a digitized document are displayed with delimiting intervals, the delimiting intervals being set in advance or on user command (See Sawada, Column 14, lines 57-64).

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada (U.S. Patent 6,441,811 B1) in view of Yagita (U.S. Patent 5,900,876), as applied to claim 1 above, and further in view of Hirai (U.S. Patent 6, 061,701).

As per dependent claim 9, Sawada and Yagita teach the limitations of claim 1 as described above. Sawada and Yagita do not teach expressly that the interface is provided with links to translations of the digitized document, the translations being into languages desired by the user and being accessible on user command. Hirai teaches providing links to translations of a digitized document accessible by a user on a user's command (See Hirai, Abstract, and Column 4, lines 35-49). Sawada, Yagita, and Hirai are analogous art because they are from the same field of endeavor of displaying electronic documents to a user on an electronic display device. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the links to translations of a digitized document of Hirai with the apparatus for displaying a digitized document to an audience of Sawada and Yagita. The motivation for doing so would have been to allow a user who is not fluent in a first language to easily select and translate a portion of an electronic document to a language the user better understands while maintaining a link to the original document. Therefore, it would have been obvious to combine Hirai with Sawada and Yagita for the benefit of allowing a user who is not fluent in a first language to easily select and translate a portion of an electronic document to a language the user better understands while maintaining a link to the original document to obtain the invention as specified in claim 9.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton, can be reached at (571) 272-4137.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Laurie Ries/
Patent Examiner
Technology Center 2100
13 August 2008